

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

HYPH (USA), INC. and XHAIL, INC.,)	
)	
Plaintiffs,)	
)	
v.)	C.A. No. 22-579-CFC
)	
MICHAEL KIELY,)	
)	
Defendant.)	

STIPULATION TO EXTEND

WHEREAS, fact discovery is currently set to close on April 5, 2024 (D.I. 46 at ¶ 3(a)).

WHEREAS, the parties require additional time to meet and confer on certain conflicts regarding written discovery and document production;

WHEREAS, the deposition of Mr. Renard was scheduled to take place on April 2, 2024 at 10:00 a.m. Eastern Time based on the agreement of the parties (with the prior noticed date of March 28, 2024 being continued based on the witness's availability). *See* D.I. 66-2.

WHEREAS, the deposition of Mr. Kiely was scheduled to take place on April 4, 2024 at 10:00 a.m. Eastern Time. *See* D.I. 67.

WHEREAS, the parties agree that such conflicts on written discovery and document production should be resolved prior to the depositions of Mr. Renard and

defendant, Mr. Kiely to preserve judicial economy;

WHEREAS, the parties have postponed the depositions of Mr. Renard and Mr. Kiely.

WHEREAS, the extension of the discovery cut off will not affect any other dates or deadlines in the scheduling order (D.I. 46).

NOW THEREFORE, the parties stipulate and agree, subject to the provision at ¶ 3 of the scheduling order (D.I. 46) and the approval of the Court, that the time for fact discovery cutoff is extended by three weeks from April 5, 2024 to April 26, 2024. The parties certify that they have sent a copy of this request to their respective clients.

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Dated: April 1, 2024

IT IS SO ORDERED this 1st day of April 2024,

/s/ Colm F. Connolly

Honorable Colm F. Connolly